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**DECLARATION AND POWER OF  
ATTORNEY FOR UTILITY OR DESIGN  
PATENT APPLICATION SUBMITTED  
AFTER INITIAL FILING  
(37 CFR 1.63)**

Attorney Docket No.	3024-107
First Named Inventor	Urs A. Meyer
Application Number	Nat. Stage of <b>PCT/IB03/01414</b> (currently assigned U.S. Ser. No. <b>10/510,678</b> )
Filing Date	October 8, 2004
Group Art Unit	N/A
Examiner Name	N/A

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Enhancer Sequence of the 5-Aminolevulinic Acid Synthase Gene**, the specification of which was filed on **April 4, 2003**, as international application **PCT/IB03/01414**, which was transmitted to the United States Patent and Trademark Office on **October 8, 2004**.

I hereby state that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed	Certified Copy Attached? Yes/No
<b>PCT/IB02/01258</b>	<b>International Bureau, CH</b>	<b>April 9, 2002</b>	<b>Yes</b>	<b>No</b>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

I or we hereby appoint the attorney(s) associated with customer number **46002** to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to:



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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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5-D

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